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February 28, 2013

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To: Supervisor Mark Ridley-Thomas, Chairman
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From: William T Fujioka
Chief Executive Officer

MOTION TO SUPPORT AND CO-SPONSOR SB 473 (BLOCK) TO ADD PIMPING, PANDERING AND HUMAN TRAFFICKING TO THE LIST OF CRIMES ASSOCIATED WITH GANG ACTIVITY (AGENDA ITEM NO. 13, MEETING OF MARCH 5, 2013)

Item No. 13 on the March 5, 2013 Agenda is a motion by Supervisor Knabe to support and co-sponsor SB 473 (Block) which adds pimping, pandering and human trafficking to the list of crimes associated with gang activity, and to direct the County's Sacramento advocates to communicate the Board's position to the Governor and State Legislature.

Proposition 21, approved by voters in 2000, provides that individuals who actively participate in a criminal street gang and who promote or assist in criminal conduct by members of that gang can be eligible for enhanced sentences and penalties. The implementing legislation defines a pattern of criminal gang activity and identifies 33 felonies eligible for enhanced sentences and penalties if a pattern of criminal gang activity is also proven.

Criminal street gangs in Los Angeles County and nationwide have increasingly engaged in sex trafficking and commercial sexual exploitation of minors. According to a United States Department of Justice study, close to 300,000 children are at risk of commercial sexual exploitation. California has three of the Federal Bureau of Investigation's 13 High Intensity Child Prostitution Areas, including Los Angeles. The average age that a victim is first trafficked for sexual exploitation is 12 to 14 years old, although some

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Each Supervisor
February 28, 2013
Page 2

victims are much younger. Sex trafficking and commercial sexual exploitation of minors now rivals narcotic and arms sales as the major sources of revenue for many criminal gang organizations. In addition, sex trafficking provides minimal criminal exposure for a pimp or trafficker.

As introduced on February 21, 2013, SB 473 would add pimping, pandering and human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity pursuant to Proposition 21 and make an individual eligible for enhanced criminal sentences and penalties. The bill would also require that anyone convicted of human trafficking or sex trafficking offenses committed within 1,000 feet of a school would receive an additional three-year State prison sentence.

SB 473 is sponsored by the County of San Diego and is currently in the Senate pending referral to committee.

As there is no specific Board-approved policy related to the addition of crimes eligible for enhanced penalties under Proposition 21 of 2000, **approval of this motion is a matter of Board policy determination.**

We will continue to keep you advised.

WTF:RA
MR:KA:ma

c: Executive Office, Board of Supervisors
County Counsel